

REYNOLDS TECHNICAL
ASSOCIATES

DOCKET FILE COPY ORIGINAL

301 Cedar Street, Suite 4
Greenville, AL 36037
(334) 382-3239 Fax 382-2940
E-Mail: prc@dbtech.net

May 2, 1997

Mr. William F. Caton, Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

RE: Petition for Rule Making
Allocation of FM Channel 244A
Macon, Mississippi

Dear Mr. Caton:

Enclosed please find a petition for rule making that we wish to file for our client, Team Broadcasting Company, Inc.

The copies should be forwarded to:
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

The original and four copies are included as is copy labeled " Receipt Stamp Copy." Please have someone in your office receipt stamp this copy and return it in the attached envelope.

Thank you for your assistance in getting this Expression of Interest filed.

Sincerely,
REYNOLDS TECHNICAL ASSOCIATES

Paul Reynolds

BROADCAST INDUSTRY TECHNICAL CONSULTANTS

024
MMB

ORIGINAL

Before the

Washington, D.C. 20554

In The Matter of)
)
Amendment of Section 73.202(b),) MM Docket _____
Table of Allotments,)
FM Broadcast Stations) RM _____
(Macon, Mississippi)

To:
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULE MAKING

Team Broadcasting Company, Inc. ("TEAM"), a Mississippi Corporation, hereby petitions the Commission to institute a Notice of Proposed Rule Making (NPRM) for the allocation of channel 244A to Macon, Mississippi, as that Community's first FM broadcast service. TEAM gives the required verifications and also certifies that if the Commission allocates the channel, it, or an entity in which it participates, will file an application for construction permit.

CHANNEL 244A AT MACON QUALIFICATIONS

As shown by the attached channel study (Exhibit E, figure 1) channel 244A, when allocated to Macon, appears to have no short spacing to any known licensed facilities, proposed minor changes or proposed rule makings. It also

appears that the nearest short spacing concerns are as follows: WONA(FM), (channel 244A) Winona, Mississippi, at 292.0°(Degrees) True; WMJJ.L(FM) (channel 243C), Birmingham, Alabama, at 76.8°(Degrees) True and A CP, (channel 244C3), Pine Hill, Alabama at 140.1°(Degrees) True. The intersecting of these minimum distance separation contours create the location area for a fully spaced antenna site for channel 244A at Macon.

Exhibit E, figure 2 is an attached map which shows the fully spaced site chosen for the instant rule making would cover 100% of the proposed city of license with a hypothetical 70 dBu F(50,50) contour. The distance shown for a class A facility (6 kW, 100 meters HAAT) is 16.2 kilometers (10.1 miles).

The map also shows the window available for the allocation of channel 244A to Macon. This shows that TEAM's proposed coordinates do not short-space any existing stations, construction permits, applications, or allocations.

In order to alleviate potential FAA problems, TEAM could possibly use an existing structure in excess of 300 feet AGL at a fully spaced reference site under Section 73.215. If the Commission allocates channel 244A to Macon as that community's first local aural service, antenna sites in the immediate area of the TEAM reference coordinates will be available without FAA obstruction concerns.

MACON, MISSISSIPPI

Macon is located in Hale County, Mississippi, and is the county seat. It has local banking, a functioning school system, a public library, in addition to police and municipal service systems which give it the required indicia required by the Commission to be a community of license. According to the United States Census Bureau, Macon had a population of 2,256 persons on January 1, 1990. The community is recognized as Census Designated Area by the US Census Bureau. Information from the Mississippi Secretary of State depicts that it has a functioning city government and has been an incorporated city for several years.

PETITION SUMMARIZED

The petition for the allocation of channel 244A at Macon can be SUMMARIZED as follows:

<u>COMMUNITY</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Macon	-----	244A

No substitutions of channels in other markets or interruption of service are necessary for this allocation. Since there are no channel deletions or substitutions necessary for the allocation of channel 244A at Macon, it can be allotted and applications for a construction permit filed immediately.

EXPRESSION OF INTEREST

TEAM hereby certifies that it is interested in the allocation of channel 244A at Macon and if the channel is allocated it, or an organization in which it participates, will timely file an application for construction permit. It further states that it, or an entity in which it is a participant, will construct and daily operate this station, if it is the successful applicant.

PETITIONER'S PREFERENCE

TEAM is aware that talk in the "trade" lately has hinted that the Commission may institute a procedure commonly known as "petitioner's preference or finder's preference." This practice would, in essence, give a petitioner a preference when an application window was opened for an allocation. If this rule is implemented before the Commission takes action on the instant petition, Team respectfully requests a petitioner's preference.

CONCLUSION

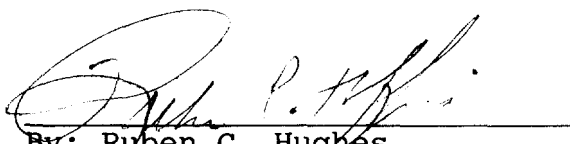
TEAM is petitioning the Commission to institute a Notice of Proposed Rule Making leading to the allocation of channel 244A at Macon, Mississippi, as that community's first local service. This channel is available for allocation immediately, as it requires no deletions and/or substitutions in other communities. In addition, the allocation will require a site restriction of 4.54 kilometers at 253.50° (southwest from the community of license). TEAM certifies that it, or an entity in which it

participates, will apply for the license at Macon if the channel is allocated.

CERTIFICATION

I, Ruben C. Hughes, President of Team Broadcasting Company, Inc., Petitioner for the allocation of a new FM broadcast channel at Macon, Mississippi, do hereby verify that the statements contained in this Petition for Rule Making are true and correct to the best of my knowledge and belief. I represent that this Petition is not filed for the purpose of impeding, obstructing or delaying determination on any other application or petition with which it may be in conflict.

Respectfully Submitted,
TEAM BROADCASTING COMPANY, INC.


By: Ruben C. Hughes
Its President

This 2 Day of May, 1997

Ruben C. Hughes, President
Team Broadcasting Company, Inc.
561 Golden Avenue
Mobile, Alabama 36617